

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

THE DEPARTMENT OF TRANSPORTATION )  
OF THE STATE OF ILLINOIS, for and in )  
behalf of the People of the State of Illinois, )  
Petitioner, )  
vs. )  
ILLINOIS CENTRAL RAILROAD COMPANY, )  
Respondent. )

No. 2000-T-00-0087  
Parcel No. 8826019PE

Aug 29 3 53 PM '00  
ILLINOIS COMMERCE COMMISSION  
TRANSPORTATION DIV

PETITION FOR APPROVAL TO TAKE PROPERTY

Now Comes THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS, Petitioner, by JAMES E. RYAN, Attorney General and STANLEY L. MORRIS, Special Assistant Attorney General, and for its Petition for Approval to Take Property states:

1. Petitioner has engaged in the construction, operation and maintenance of FAU Route 9251 (Illinois Route 13), a State highway under the control and jurisdiction of Petitioner, in St. Clair County, Illinois, under and by virtue of the Illinois Highway Code (605 ILCS 5/2-101 through 5/2-220 and 5/4-101 through 5/4-511). The lands and premises hereinafter described and legally described as set out in Exhibit "A" which is attached hereto and incorporated by this reference, are required as a part of widening and resurfacing Illinois

DOCKETED

Route 13 between Minnie Drive and 23<sup>rd</sup> Street in Belleville, Illinois. Parcel 8826019PE is located in the railroad line location just northwest of the intersection of Meadow Drive and Route 13, Belleville, St. Clair County, Illinois (hereafter the "Project").

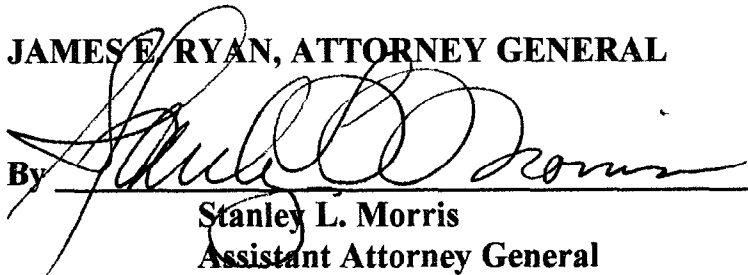
2. Respondent, Illinois Central Railroad Company, is a rail carrier as defined in the Illinois Commercial Transportation Law (625 ILCS 5/18c-7101 et seq.), is engaged as a common carrier by railroad within Illinois and is subject to the jurisdiction of the Illinois Commerce Commission.
3. The land, rights and other property hereinafter described are private property and the Respondent appears to own, have an interest in, or claim to have some interest therein.
4. The Project is a public work, is for public use and constitutes a public purpose in St. Clair County, Illinois; it is in the public convenience and necessity that the Petitioner have and acquire a permanent easement in Parcel 8826019PE, more particularly described in Exhibit "A" attached hereto, for the purpose of roadway construction and maintenance.
5. The compensation to be paid by the Petitioner to the Respondent for this parcel or the interest therein or the form of conveyance cannot be agreed upon between Petitioner and the Respondent and the Petitioner, therefore, is authorized, subject to the initial approval of the Illinois Commerce Commission, to proceed to acquire said lands, rights or other property through

the exercise of the right of eminent domain under the Eminent Domain Law of Illinois.

**WHEREFORE**, Petitioner prays the Illinois Commerce Commission enter an Order authorizing Petitioner to proceed with an action in eminent domain to acquire from Respondent, Illinois Central Railroad Company, a permanent easement in Parcel 8826019PE, more particularly described in Exhibit "A", all in accordance with Article VII (735 ILCS 5/7-101 through 5/7-129) of the Illinois Code of Civil Procedure.

**THE DEPARTMENT OF TRANSPORTATION,  
STATE OF ILLINOIS, Petitioner**

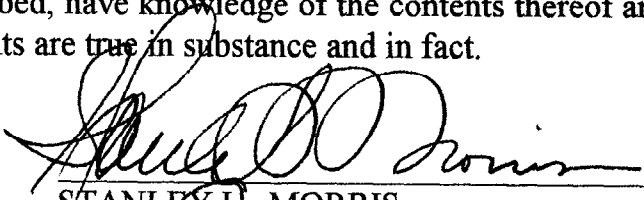
**JAMES E. RYAN, ATTORNEY GENERAL**

By   
Stanley L. Morris  
Assistant Attorney General

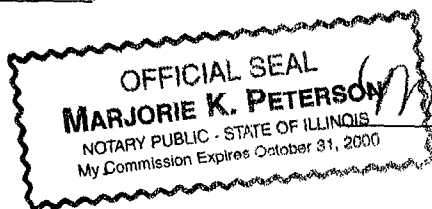
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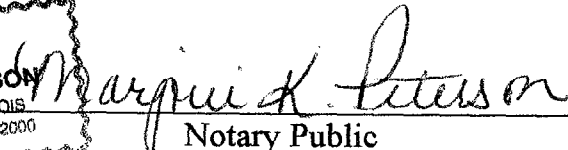
STATE OF ILLINOIS            )  
  )SS  
COUNTY OF SANGAMON        )

I, Stanley L. Morris, of lawful age and being first duly sworn, depose and say that I am a Special Assistant Attorney General for the State of Illinois, that I have read the above and foregoing Petition by me subscribed, have knowledge of the contents thereof and that on information and belief said contents are true in substance and in fact.

  
\_\_\_\_\_  
STANLEY L. MORRIS  
Special Assistant Attorney General

August **SUBSCRIBED** and **SWORN** to before me, a Notary Public, this 29 day of \_\_\_\_\_, 2000.



  
\_\_\_\_\_  
Notary Public

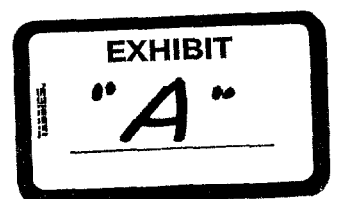
PARCEL 8826019-PE - LAND REQUIRED AS PERMANENT  
EASEMENT FOR DRAINAGE

That part of the 100 foot right of way of the Illinois Central Railroad Company located in U.S. Survey 717, Township 1 North, Range 8 West of the Third Principal Meridian, St. Clair County, Illinois, described as follows:

Commencing at the northeast corner of Lot A of the "American Bottle Company's Subdivision" reference being had to the plat thereof recorded in Plat Book T on Page 14 in the Recorder's Office of St. Clair County, Illinois, said northeast corner also being on the southwesterly right of way line of the Illinois Central Gulf Railroad Company; thence on an assumed bearing of North 52 degrees 21 minutes 17 seconds West along said southwesterly railroad right of way line, 350.86 feet to the Point of Beginning, said Point of Beginning also being on the northeasterly right of way line of FAU Route 9251 (Illinois Route 177/13).

From said Point of Beginning; thence continuing North 52 degrees 21 minutes 17 seconds West, 449.84 feet along said existing northeasterly right of way line; thence South 56 degrees 59 minutes 22 seconds East, 284.64 feet; thence South 52 degrees 21 minutes 17 seconds East, 84.44 feet; thence South 36 degrees 37 minutes 47 seconds East, 84.86 feet to the Point of Beginning.

Parcel 8826019-PE herein described contains 6,144 sq. ft. (0.1411 acre).



**PROOF OF SERVICE**

The undersigned certifies that on 8/29/10, 2000, a copy of the foregoing document was deposited in the U.S. Mail in Springfield, Illinois, with postage prepaid, at Springfield, Illinois, plainly addressed to:

CT Corporation  
208 South LaSalle Street  
Chicago, Illinois 60604

Marynick Peterson